

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HENRY TUCKER,

Plaintiff,

-against-

REEBOK INTERNATIONAL LTD.,

Defendant.
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19-CV-10344 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

This case has been transferred to me. On April 10, 2020, Judge Alison J. Nathan granted the parties' joint request to stay the case pending resolution of the motion to dismiss in the case *Henry Tucker v. Whole Foods Market Group, Inc.*, No. 19-cv-9842 (RA), which presented a similar issue. (Doc. 13.) On August 13, 2021, the parties filed a status update indicating that the stay should remain in place pending the decision of the Second Circuit Court of Appeals in *Calcano v. Swarovski North America Limited*, Case No. 20-155, which also presented the same issue. (Doc. 15.) Judge Nathan maintained the stay and ordered the parties to file a status update within ten (10) days of the decision in *Calcano*. (Doc. 16.) The Second Circuit Court of Appeals issued that decision on June 2, 2022. *Calcano v. Swarovski N. Am. Ltd.*, 36 F.4th 68 (2d Cir. 2022). Accordingly, it is hereby:

ORDERED that the parties file a status update, including the impact of the *Calcano* decision, if any, on this case, on or before July 1, 2022.

SO ORDERED.

Dated: June 24, 2022
New York, New York


Vernon S. Broderick
United States District Judge